

REGULAR MEMBERS

CHAIR

Douglass Davert
Special District Member

VICE CHAIR

Donald P. Wagner
County Member

IMMEDIATE PAST CHAIR

Derek J. McGregor
Public Member

Wendy Bucknum
City Member

Andrew Do
County Member

James Fisler
Special District Member

Bruce Whitaker
City Member

ALTERNATES

Katrina Foley
County Member

Kathryn Freshley
Special District Member

Carol Moore
City Member

Lou Penrose
Public Member

STAFF

Carolyn Emery
Executive Officer

Scott Smith
General Counsel

September 13, 2023

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Assistant Executive Officer

SUBJECT: Legislative Report (September 2023)

BACKGROUND

The 2023 legislative session is in its final stage, with legislation moving through the House and Senate to meet the October 14th deadline for Governor Newsom to sign or veto bills. The table on the following page provides a status update of the bills previously reviewed by the Commission during the 2023 legislative session.

As the 2023 legislative session comes to a close in November, the California Association of Local Agency Formation Commissions (CALAFCO) Legislative Committee is gearing up for the upcoming 2024 legislative session. During the Committee's most recent meeting on August 25, 2023, CALAFCO staff provided an update on its proposed legislative efforts for the upcoming legislative session. This report includes a preview of CALAFCO's proposed legislative efforts for the 2024 legislative session that begins in December.

UPDATE ON PREVIOUSLY REVIEWED LEGISLATION

During the 2023 legislative session, the Commission adopted positions on eight bills. The bills covered several topics, including a confirmation vote from residents residing within the San Diego Water Authority (SDWA) service area for a member agency to detach from SDWA, allowing public agencies the ability to meet via teleconference during a declared state of emergency, technical corrections to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, allow local elected officials to be concurrently seated on the Coastal Commission, LAFCO and Joint Powers Authority, website domain requirements for counties and cities and the Yearly Validating Acts. A status update of each bill reviewed by the Commission is included in the table on the following page.

Bill	Description	Adopted Position	Status
AB 399	Proposes to require that the process for an agency seeking detachment from the San Diego Water Authority (SDWA) must have a confirmation vote from the registered voters residing within the agency seeking the detachment and a confirmation vote from the registered voters residing within the entire SDWA service boundary.	Watch	AB 399 is currently under review in the Senate. Next hearing date not identified as of September 6, 2023.
AB 557	Proposes to remove the sunset date of January 1, 2024, which would terminate the ability for local agencies to hold meetings by teleconference during a state of emergency previously established through the signing of AB 361 by the Governor.	Support	AB 557 is currently under review in the Senate. Next hearing date not identified as of September 6, 2023.
AB 1637	Proposes that by January 1, 2029, a city or county maintains an internet website for public use and employee emails to use “.gov” top-level or a “.ca.gov” second-level domains.	Neutral	SB 1637 is currently under review in the Senate. Next hearing date not identified as of September 6, 2023.
AB 1753	Makes minor and/or non-substantive changes to the CKH Act.	Support	Signed by the Governor on June 29, 2023.
SB 360	Proposes to expand the list of offices that a locally elected official may be seated on concurrently involving the Coastal Commission, LAFCO, and Joint Powers Authority.	Support	Signed by the Governor on July 21, 2023.
SB 878 SB 879 SB 880	Yearly Validating Acts are meant to retroactively fix typographical, grammatical, and procedural errors that might invalidate boundary changes or bond issues.	Support	Signed by the Governor on June 29, 2023.

PREVIEW OF CALAFCO's 2024 LEGISLATIVE EFFORTS

In anticipation of the upcoming 2024 legislative session, the CALAFCO Legislative Committee is preparing for the session by identifying its legislative priorities. The following are the committee's priorities:

- o The 2024 Omnibus Bill will propose technical and non-substantive amendments to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act).
- o Propose legislation to add clarifying language to the CKH Act on the provision of services by an agency outside of its jurisdictional boundary (Government Code Section 56133).
- o Propose legislation to add language to explicitly provide LAFCOs the authority to require indemnification from applicants.

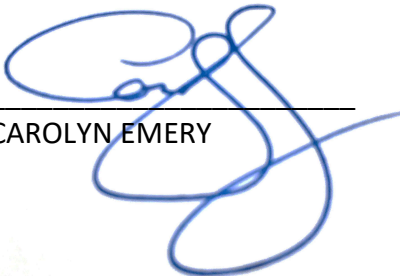
Staff will continue to monitor the activity of CALAFCO's legislative priorities and legislation of LAFCO interest as the new 2024 legislative session begins in December.

RECOMMENDED ACTION

Staff recommends the Commission:

1. Receive and file the September legislative report.

Respectfully submitted,



CAROLYN EMERY



LUIS TAPIA